

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GEORGE ENGLEHARDT v. FALLS TOWNSHIP, et al.	CIVIL ACTION No. 19-3257
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ORDER RE: PARTIAL MOTION TO DISMISS

AND NOW, this 3rd day of April, 2020, upon consideration of Defendants' Partial Motion to Dismiss Plaintiff's Amended Complaint, (ECF 8), Plaintiff's Opposition, (ECF 9), and for the reasons discussed in the foregoing Memorandum, it is hereby **ORDERED** that:

1. Defendants' request to dismiss Count IV against Falls Township is **GRANTED**. Count IV is **DISMISSED** without prejudice. Plaintiff may file an Amended Complaint within thirty days of this Order.
2. Defendants' request to dismiss Plaintiff's false arrest claim against Officer Thomas Lundquist (Count I against Officer Thomas Lundquist) is **GRANTED** by agreement of the parties. Count I against Officer Thomas Lundquist is **DISMISSED** with prejudice.¹
3. Defendants' request to dismiss Plaintiff's malicious prosecution claim against Officer Bruce Rhodunda, Officer Chris Iaconna, and Officer Thomas Lundquist (Count III) is **GRANTED** by agreement of the parties. Count III is **DISMISSED** with prejudice.

BY THIS COURT:

s/ Michael M. Baylson

Michael M. Baylson
United States District Court Judge

O:\CIVIL 19\19-3257 19cv2357 Order re Defendants' Motion to Dismiss

¹ Count I remains pending against Officer Bruce Rhodunda and Officer Chris Iaconna.